

Application No. 10/084,981  
Amendment J

16

Docket No. NOD-002.01

## REMARKS

### *Status of Claims*

Claims 38-40, 44, 46, 48-98, and 119-123 are pending. By this Amendment, claims 99-118 are canceled without prejudice to Applicant's right to re-present them in this or a related patent application.

### *Allowable Subject Matter*

Applicant thanks the Examiner for the indication that claims 38-40, 44, 46, 48-98, and 119-123 recite allowable subject matter.

### *Claim Rejections: 35 U.S.C. § 103(a)*

Claims 99-118 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,870,065 to Kanaba et al. in view of U.S. Patent 5,530,919 to Tsuru et al. ("Tsuru").

Claims 99-118 have been canceled, thereby mooted the rejection. Applicant requests reconsideration and withdrawal of the rejection.

Respectfully submitted,

Dated: October 17, 2008

By /SCOTT E. KAMHOLZ/  
Scott E. Kamholz, Reg. No. 48,543  
Stephen B. Deutsch, Reg. No. 46,663  
FOLEY HOAG LLP  
155 Seaport Blvd  
Boston, Massachusetts 02210  
617-832-1230  
Attorneys for Applicant